

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE LINKEDIN USER PRIVACY
LITIGATION

CASE NO. 5:12-cv-03088 EJD

**ORDER DENYING MOTION TO
INTERVENE**

[Docket Item No(s). 107]


Presently before the court is a Motion to Intervene filed by eight individuals: Christopher Donnelly, Christopher Wirth, Frederick Banks, Jonathan Rich, Richard Reid, Noshir Gowadia, Edward Breivik and James Holmes (collectively, "Proposed Intervenor(s)"). See Docket Item No. 107. According to Proposed Intervenor(s), they seek to intervene as plaintiffs according to sections (a) and (b) of Federal Rule of Civil Procedure 24 because they "have documents, exhibits, charts, and photographs" related to this case.

Although it is their burden to do so, Proposed Intervenor(s) have not identified a valid basis for either intervention as of right under Rule 24(a) or permissive intervention under Rule 24(b), nor have they established the additional elements applicable to each type of intervention. See Petrol Stops Nw. v. Cont'l Oil Co., 647 F.2d 1005, 1010 n.5 (9th Cir. 1981) (describing burden applicable to intervention motions); Sierra Club v. U.S. Envtl. Prot. Agency, 995 F.2d 1478, 1481 (9th Cir. 1993) (describing elements for intervention as of right); Beckman Indus. v. Int'l Ins. Co., 966 F.2d 470, 473 (9th Cir. 1992) (describing elements for permissive intervention). Possession of unspecified related materials is not enough.

Accordingly, the Motion to Intervene is DENIED.

IT IS SO ORDERED.

Dated: July 15, 2014


EDWARD J. DAVILA
United States District Judge